

# Department of Human Services

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## Articles in Today's Clips Friday, March 28, 2008

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# Appeals court tosses out Donna Yost murder conviction

Posted by [The Bay City Times](#)

March 28, 2008 10:02AM



Cathy Layman | Times Photo

Donna Yost looks around the courtroom while being tried for the murder of her daughter, Monique Yost.

## ***New trial ordered in death of 7-year-old girl***

A Michigan Court of Appeals panel has reversed the conviction of Donna A. Yost, whom a Bay County jury found guilty of felony murder in April 2006 for the death of her 7-year-old daughter, Monique.

The child died in October 1999 after ingesting a fatal dose of anti-depressants in her Madison Avenue home.

The appeals panel ordered Yost's sentence - life in prison, without parole - vacated and ordered a new trial.

The decision was unanimous, with appellate justices E. Thomas Fitzgerald, Jane E. Markey and Michael R. Smolenski ruling that Yost's rights were violated during her trial in Bay County when Judge William J. Caprathe prevented Yost's eldest daughter and expert psychologist from offering testimony about Yost's limited intellectual capabilities.

Defense attorney Edward M. Czuprynski attempted to elicit testimony from those witnesses that he indicated would explain Yost's behaviors and statements.

The trial court also abused its discretion, the appeals panel ruled, when it precluded the defense from offering the testimony of a toxicologist. Yost's attorney wanted to counter expert witnesses presented by prosecutors who gave opinions on the amount and possible manner in which the Imipramine pills were ingested.



## Muskegon Chronicle

### Detectives crack cold case, charge man in baby death

Friday, March 28, 2008

By Lisa Medendorp

[lmedendorp@muskegonchronicle.com](mailto:lmedendorp@muskegonchronicle.com)

Houston Mikell Curtis' death in 2004, just days after his first birthday, was never forgotten by Muskegon police even though the case grew cold.

The baby suffered a severe head injury and died Feb. 1, 2004, at DeVos Children's Hospital in Grand Rapids.

Houston "was a joy to many and his smile brought sincerity," according to his obituary notice.

But his death was not natural, according to police, who opened a homicide investigation. The case had a number of complexities that resulted in dead ends for investigators.

However, a recent break in the case resulted in authorities being able to charge Marcus Tulenkun Bolden, 23, of 2216 Peck, with open murder, according to the Muskegon County Prosecutor's Office.

Bolden, who currently is serving time in the Muskegon County Jail on an unrelated misdemeanor child abuse conviction, was arraigned Thursday.

Sixtieth District Judge Harold F. Closz III denied bail and set preliminary examination for April 9 at 1:30 p.m. A public defender for Bolden has yet to be assigned.

"This case was doggedly pursued by detectives for four years," said Prosecutor Tony Tague. "They were recently able to interview (Bolden) and he made significant admissions."

At the time of the baby's death, Bolden had started dating the child's mother, Crystal Bell. Although Bolden did not live at her apartment, 205 Merrill, he sometimes stayed there, police reported.

At 2:46 a.m. on Jan. 31, 2004, Muskegon firefighters and Professional Med Team Ambulance responded to a medical emergency at Bell's apartment after she called 911.

When the injury occurred, Bell was in another room talking on the telephone with the baby's father, Jon Bell, who lived in Maryland, a report said.

Bolden had wanted her to hang up the phone and he then took the baby into the bedroom, prosecutors said.

"The child apparently had been crying for a long period of time, upsetting the defendant," Tague said. "The defendant threw the child onto a bed. The child bounced and struck the wall, causing a significant head injury."

The baby was first taken to Mercy General Health Partners Sherman Campus and then transferred to DeVos Children's Hospital. Muskegon police were contacted hours later by a protective services worker from Grand Rapids.

Houston celebrated his first birthday on Jan. 29, and spent time with his grandparents, police said. A report indicated that the grandmother felt something was wrong with the baby at that time and he was taken to a doctor.

A police report said the baby's mother also indicated that he had fallen off a couch several days before the Jan. 31 incident that authorities say led to his death.

Bolden was sentenced on Feb. 25 of this year to 120 days in the Muskegon County Jail for fourth-degree child abuse, a misdemeanor. He was arrested last November by Muskegon Heights police after he tried to hit his girlfriend and instead struck her young daughter, prosecutors said.

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OAKLAND COUNTY

## Jury to rehear testimony in ex-teacher's trial

March 28, 2008

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Jurors deciding the fate of former Oak Park school teacher James Perry will resume deliberations today, rehearing the taped testimony of a woman who claims he assaulted her young son.

ADVERTISEMENT

Perry, 34, is accused of sexually assaulting the boy, then 5, and another boy, then 4, in an empty special-education room at Key Elementary School in 2005.

The eight men and four women on the jury have been deliberating since Monday afternoon, following two weeks of trial. At times, jurors have insisted they are deadlocked.

On Wednesday, they sent out notes that appeared to indicate 11 of the 12 members wanted to acquit Perry, with one holding out for conviction. The holdout lives in Perry's neighborhood.

Oakland County Circuit Judge Denise Langford Morris ordered them back into deliberations.

The courtroom has been packed and tension has risen as the deliberations stretched into Day 4 without a verdict.

Two camps have formed in the courtroom gallery, with the boys' extended families on one side and Perry's family and friends on the other.

Perry faces up to life in prison if convicted.

*By L.L. Brasier*

### Find this article at:

<http://www.freep.com/apps/pbcs.dll/article?AID=/20080328/NEWS03/803280409>

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JAMES PERRY TRIAL

## Jurors start day reviewing mom's testimony

By JOHN WISELY and L.L. BRASIER • FREE PRESS STAFF WRITERS • March 28, 2008

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Jurors in the retrial of former Oak Park kindergarten teacher James Perry were back in court this morning listening intently as a court reporter read back the testimony of a key witness.

### ADVERTISEMENT

Perry, 34, of Ferndale is charged with raping two boys in a special education classroom at Key Elementary School in Oak Park in October 2005. An Oakland County jury convicted him in September 2006, but the judge threw out the verdict ruling that investigators, led by Oak Park detective Erik Dolan, failed to interview witnesses who could have exonerated Perry.

The first boy to accuse Perry of the attacks was 5 at the time. Jurors asked Thursday to hear again the tesimony of that boy's mother, who took the stand on the first day of the two-week trial. On Thursday afternoon, they listened to part of the testimony as it was taped by the court reporter, but the tape was difficult to hear and several jurors complained.

This morning, the reporter began reading her typed version of the question and answer with the boy's mother, by assistant prosecutor Andrea Dean. Judge Denise Langford Morris told jurors they must listen to the mother's testimony in its entirety.

Earlier in the week, the jurors asked to listen to the testimony of Brenda Snow, the principal of the school.

The jury has been deadlocked since Monday, the first day of deliberations. A note from juror No. 8 read in court Wednesday indicated that one juror was preventing a unanimous verdict. That juror was acting solely on emotion, made constant references to his "gut feelings," and appeared to ignore court instructions on the presumption of innocence, according to the note. The note went on to say that the holdout juror told others that he lived within 200 yards of Perry's home, and questioned Perry's demeanor in court.

Juror No. 10, who lives around the block from Perry's home, sent out his own note claiming his fellow jurors were contaminated by outside influences and refused to consider another opinion.

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## Six teens in custody after vandalizing mobile homes

BY GINA DAMROM • FREE PRESS STAFF WRITER • March 28, 2008

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Six teenagers were taken into custody this morning for breaking into and vandalizing at least eight unoccupied mobile homes overnight in the Rochester Estates Mobile Home Park, according to the Oakland County Sheriff's Office.

### ADVERTISEMENT

Two girls and four boys — ages 13 to 15 and all from Rochester Hills — spent the night in the homes and were found this morning, according to police. The homes that were broken into are owned by the park and are for sale.

According to police, one girl was taken into custody by a park employee as she walked out of one of the homes, another park employee found two others at another location in the park, deputies found two more teens in a wooded area north of the park and the last teen turned himself in at the sheriff's substation in Rochester Hills.

The teens were released to their families. According to police, the case will go to juvenile court.

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Michigan Report

March 27, 2008

## **D.H.S. SURVEY TESTING RESPONSE TO BENEFITS CHANGES**

The Department of Human Services will have input next month from its Food Assistance Program recipients on whether they prefer the current monthly distribution of benefits or would prefer the twice a month distribution that has been discussed in the House.

DHS officials conducted the survey March 19-25 and have hired a firm to tabulate the results.

"We want to know what the families that depend on these benefits think about this," said DHS Director Ismael Ahmed. "The benefits of twice monthly distribution have been debated by grocery retailers, in the Legislature, and in the court of public opinion, but no one has asked the people that use the benefits. We think what they say has important bearing on this decision. We may have a different opinion of the legislation after we hear from them."

The results are expected back, and to be delivered to the Legislature, during the week of April 7.

The proposal would, for the 78 percent of cases receiving more than \$100, split the current distribution so half is provided at the beginning of the month and half in the middle of the month. The current system, which provides the benefits during the first nine days of the month, has created difficulties for some grocery stores in having sufficient stock and staff during those rush times.

# Rising heating costs lead to increased hunger, fewer food pantry donations

Thu, Mar 27, 2008

The average household has paid \$986 for heat this winter, 10 percent more than last year, forcing families to make difficult choices between heat and food.

For many of Michigan's working families, it means turning to local food banks to fill the gap, according to the Food Bank Council of Michigan.

"Rising energy costs and heating bills have much more impact on the most vulnerable families," said Bill Long, interim executive director of the FBCM and former chairman of the Michigan Public Service Commission, the state regulatory body for public utilities.

The crunch is being felt at local food pantries, which are running low on basic food and household needs.

Officials at the Salvation Army said that, while they tend to receive a lot of vegetables, they are low on pantry items such as tuna fish, boxed dinners, cereals, paper products and cleaning supplies. They are also in need of fruit.

Love INC's six food pantries are in a similar situation. Currently, the organization is most in need of items such as canned fruit and meats, cold and hot cereals, sauces, condiments, juice, snacks, flour, oil, and personal care items.

Natural gas, which is used to heat most U.S. homes, costs an average of 10.7 percent more this winter, while electricity costs an average of 2.7 percent more, Long said. Should families become forced into the position of choosing between heat and food, they should talk to their energy supplier to maintain heat and contact a local food bank for assistance, he said.

"Even though food banks across Michigan are handing out food to needy residents faster than they can stock the shelves, families still need to ask for help," Long said.

Cuts proposed in the 2009 federal budget would leave a \$24-million hole in state energy assistance, affecting up to 82,000 Michigan residents. The proposed cuts come at a time when a struggling economy is hurting charities across the board.

"People are calling and saying, 'I can't afford food. I'm trying not to get my gas shut off,'" said Dave Karr, president of the FBCM Board and director of the American Red Cross Regional Food Distribution Center in Lansing. "At the same time, our ability to provide enough food is being impacted because donations to us are down."

## On the Net:

Salvation Army Grand Haven: [www.usc.salvationarmy.org/grandhaven](http://www.usc.salvationarmy.org/grandhaven)

Love INC: [www.loveintrinsicities.org](http://www.loveintrinsicities.org)

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March 28, 2008

## Soup kitchen has healthy fare

Salvation Army meals are big on nutrition, keep fat to minimum

*Yvette Lanier*  
*Lansing State Journal*

The nation's health food craze is hitting at least one Lansing soup kitchen.

Jeremy Kigar boiled red-skinned potatoes and filled dozens of fruit cups as he recently prepared for the lunch rush at Lansing's Salvation Army.

His goal: Give 150 hungry people a hot meal - free of heart-clogging fat.

"They don't usually get a meal that has nutrition," said Kigar, 30, who's been working in the kitchen for three months and lives in Clinton County.

"If they're waiting in the cold for an hour, the best thing I can do is give them a healthy meal."

Preparing foods low in fat, sugar and grease is Kigar's way to promote healthy eating habits among the needy, many of whom are homeless. The Salvation Army serves about 850 lunches each month on Mondays and Fridays.

Menu items have included baked chicken, asparagus and baked Atlantic cod.

Maj. Robert Scott, area commander of the Salvation Army, credited Kigar with being the driving force behind healthy meals.

## Helping others

Kigar said the Salvation Army's former cook prepared Southern foods such as red beans and rice.

"I try to eat healthy, and if we can help others eat healthy and get in the habit of it, then it's better for them," Scott said.

Scott added that cooking healthy is not costlier because the Salvation Army generally uses donated foods.

Kigar said he liked healthy foods even as a child. While most kids looked forward to a bag of goodies on Halloween, Kigar craved a pear or a glass of juice.

He credits his family values for his dietary outlook.

By age 14, he was washing dishes in Cherrywood, a St. John's restaurant that has since closed. He also began doing volunteer work in the community.

Paula Esch, 57, who often eats at the Salvation Army, has noticed the healthier menu choices.

"It is especially good for the homeless because they're doing a lot of walking," said Esch, who lives at a shelter operated by Volunteers of America in Lansing. "It keeps our body healthy."

## Children benefit

Kigar believes that's good news for children who attend the Salvation Army's child care. For some, it's their first time eating fresh vegetables and seafood, said Kigar, recalling a 7-year-old girl saying she had never tasted fish

before.

"Stuff like that makes a big impact," he said.

While running a kitchen can be demanding, Kigar said, he finds his job rewarding.

"Even if you have a bad day ... you go home and you're like, 'You know, that last person I helped was really worth it,' " he said.

Yvette Lanier can be contacted at 377-1157.

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## Editorial: Father Fred says investment will help improve services

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One of the reasons the Father Fred Foundation enjoys so much local respect is that it has never taken its eye off the ball -- it exists to serve those in need, period.

That's why foundation plans to spend \$1.3 million mostly to overhaul its Hastings Street headquarters has some people scratching their heads.

No one who has walked in the door there can deny the need for a major updating of the building. The place is packed; there is little privacy for clients talking about deeply personal issues, stocks of food and clothing are spread out around the building. As volunteer Sharon Buell put it recently, "It's hodge-podge here."

The timing of the project, however, has some people second-guessing. The region has never had a greater need for the agency's services, with unemployment rising and the state economy in the tank; is this the time to spend \$1.3 million on infrastructure?

It's a question the agency itself has wrestled with. Development director David Abeel said the foundation has grappled with what he called the "tension" between helping the needy and making capital improvements.

Staff members, however, say the renovations to the 13,000-square-foot building will help them to do a better job for those in need. A drive-up donation center will help consolidate drop-off sites and food pantry space will be nearly doubled. Abeel said about \$425,000 has already been raised; the drive will go public in May, around the time renovation work will begin.

Father Fred has long been known for its efficiency. Fueled by the hard work of the foundation's hundreds of volunteers, the agency has a high donation/benefit ratio that gives donors a great bang for their buck.

The people on the front lines made this decision; they've been there, done that, and decided it was the right thing to do. There will still be some, however, who will continue to think "wait till next year" would have been a better course.

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**2A**THURSDAY,  
MARCH 27, 2008**The Monroe Evening News**

3 27-08

**POLICE BLOTTER****Client assaults case worker**

A Department of Human Services worker reportedly was assaulted by one of her clients during an incident about 2:15 p.m. Wednesday at the DHS office, 903 S. Telegraph Rd., the Monroe County Sheriff's Office reported.

The employee did not seek medical treatment for minor injuries. But the client was found later at home, arrested and taken to the Monroe County jail.

The incident began shortly after the 23-year-old Monroe woman arrived at the DHS office for a supervised visit with her infant son. The DHS case worker was interview-

ing the woman about her family circumstances when the child was brought into the office. Shortly after the mother started holding her baby, she started screaming at the case worker, deputies said.

The case worker tried to take the child from the mother but was kicked, according to reports.

Two other employees heard the disturbance and came into the office to break it up. The case worker then made a 911 call.

The woman left before deputies arrived, and she was found later at her home.

Michigan Department of Human Services News Release

Contact Maureen Sorbet or Colleen Steinman (517) 373-7394

## **DHS surveys clients on legislation that would change food benefits distribution**

March 27, 2008

Michigan Department of Human Services clients will have input on state legislation that may affect them.

The department completed a survey of Food Assistance Program clients and will forward the surveys to a national firm that will tabulate the results and return findings to the department in April. The department will then forward the results to Michigan House of Representatives in the first full week of April. Surveys were conducted at the DHS network of 120 county and local offices around Michigan during March 19-25.

There are 586,000 Food Assistance Program cases in Michigan with more than 1.2 million persons receiving benefits. The survey will help determine whether changing the distribution of food benefits will help DHS clients. The Michigan Legislature has drafted legislation that will, if passed and signed into law, change distribution of benefits from once to twice monthly for families receiving more than \$100 a month in benefits. That would prospectively affect about 457,000 cases or 78 percent of the current caseload.

Today, food assistance clients receive their benefits electronically on a debit-type card in one of the first nine days of the month, depending on their case number. The new legislation would change distribution to twice monthly, once each in the beginning and middle of the month.

"We want to know what the families that depend on these benefits think

about this," said DHS Director Ismael Ahmed. "The benefits of twice monthly distribution have been debated by grocery retailers, in the Legislature, and in the court of public opinion, but no one has asked the people that use the benefits.

"We think what they say has important bearing on this decision. We may have a different opinion of the legislation after we hear from them."

Michigan's Food Assistance Program – called the Food Stamp Program by the federal government – supplements the food purchasing power of low-income individuals and families. The average Food Assistance benefit per person is greater than \$99 per month and is about \$230 per month per family receiving benefits.

The U.S. Department of Agriculture pays for 100 percent of program benefits. The state and federal governments share administrative costs. Department of Human Services' staff persons statewide determine eligibility for applicants and perform case management.

For more information go to [www.michigan.gov/dhs](http://www.michigan.gov/dhs)

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